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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 DENNIS KIRK SUDBERRY,

10 Petitioner,

11 vs.

12 ISIDRO BACA, et al.,

13 Respondents.
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Case No. 3:16-cv-00687-RCJ-WGC

ORDER

15 Petitioner has submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.
16 The court dismisses this action because petitioner did not pay the filing fee, nor did he submit an
17 application to proceed in forma pauperis with a financial certificate and a copy of his inmate
18 account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

19 Reasonable jurists would not find this conclusion to be debatable or wrong, and the court
20 will not issue a certificate of appealability.

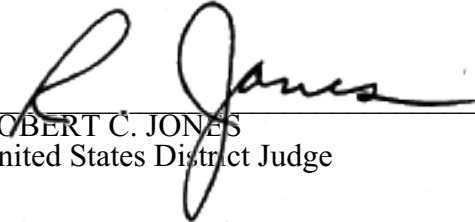
21 IT IS THEREFORE ORDERED that the clerk of the court shall send petitioner a blank form
22 for an application to proceed in forma pauperis for incarcerated litigants.

23 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to
24 petitioner's commencement of a new action in which he either pays the filing fee in full or submits
25 a complete application to proceed in forma pauperis, accompanied by a signed financial certificate
26 and a statement of his inmate account. The clerk of the court shall enter judgment accordingly and
27 close this action.

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1 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

2 DATED: January 24, 2017.

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5 ROBERT C. JONES
6 United States District Judge
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